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Box/Seq.  
PATENT #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify that this RESPONSE TO NOTICE TO COMPLY and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date indicated below with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

*Ariel Fletcher*

Ariel Fletcher

*12/14/2001*

Date of Deposit

Applicant: Sutcliffe, et al. )  
Serial No.: 09/964,597 ) Group Art Unit: unassigned  
Filed: September 25, 2001 ) ) Examiner: unassigned  
Title: METHOD FOR SIMULTANEOUS ) Our Ref.: TSRI 401.0 D4  
IDENTIFICATION OF )  
DIFFERENTIALLY EXPRESSED mRNAs )  
AND MEASUREMENT OF RELATIVE )  
CONCENTRATIONS )

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO  
ACID SEQUENCE DISCLOSURES (37 CFR §1.821-1.825)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the enclosed copy of the PTO Communication regarding the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures Under 37 CFR §1.821-1.825 mailed November 6, 2001, enclosed is a Sequence Listing on paper copy, made in accordance with 37 CFR §1.821 - §1.825. Also enclosed is the Sequence Listing in computer readable form, submitted as required by 37 CFR §1.821(e), on which the Sequence Listing is labeled TSRI 401.0D4.

Applicants respectfully request entry of the Sequence Listing and computer readable copy thereof.

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(a) through (c) and (e), respectively, are the same and include no new matter.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that making willful false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Entry of the following amendment is respectfully requested.

Please amend the above-identified application as follows:

In The Specification

Please delete the Sequence Listing beginning on page 41 through page 45. Please delete original page numbers 46-58 for the claims and abstract page and renumber consecutively with new page numbers 41-53.

If there are any fees associated with this request, please charge our Deposit Account 19-0962.

December 14, 2001

Date

  
Michael J. McCarthy, Reg No. 40,652

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/964,597	09/25/2001	J. Gregor Sutcliffe	TSRI 401.0D4

**CONFIRMATION NO. 2033**

26621  
 THE SCRIPPS RESEARCH INSTITUTE  
 OFFICE OF PATENT COUNSEL, TPC-8  
 10550 NORTH TORREY PINES ROAD  
 LA JOLLA, CA 92037

**FORMALITIES LETTER**



\*OC000000007032409\*

Date Mailed: 11/06/2001

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a)

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

Attn:  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE